

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CRWP No. 1394 of 2022(O&M)
Date of Decision:30.05.2023

Kulwinder Singh @ Kala

.....Petitioner

Versus

State of Punjab and others

..... Respondents

CORAM:- HON'BLE MRS.JUSTICE LISA GILL

HON'BLE MRS. JUSTICE RITU TAGORE

Present: Mr. Rahul Soi, Advocate
for the petitioner.

Mr. Gurdarshan Singh Sidhu, AAG., Punjab.

LISA GILL, J(Oral).

1. Prayer in this petition is for setting aside order dated 03.12.2021, passed by the Superintendent, Maximum Security Jail, Nabha, whereby parole to the petitioner was not recommended.
2. Stand taken by the respondents is that petitioner was not eligible for being considered for parole till February 2023 in view of his conviction in FIR No. 26 dated 16.02.2022, under Section 52-A (i) of the Prison Act, Police Station Division No. 7, Ludhiana, on account of recovery of a mobile phone from him on 15.02.2022.
3. Learned counsel for the petitioner, at this stage, submits that a fresh application has been submitted by the petitioner seeking parole now in the month of March 2023, therefore, the petitioner without joining issues on the question of validity of order dated 03.12.2021 prays that respondents be directed to consider his subsequent application in accordance with law.

4. Keeping in view the facts and circumstances as above, but without expression of any opinion on the merits of the case, this petition is disposed of with a direction to the competent authorities to decide the application for parole submitted by the petitioner in the month of March 2023 within a period of two weeks from receipt of certified copy of the order.

(LISA GILL)
JUDGE

(RITU TAGORE)
JUDGE

May 30, 2023.

s.khan

Whether speaking/reasoned : Yes/No.

Whether reportable : Yes/No.